

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

December 18, 2002

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., December 18, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Max W. Wilson and Mary Rose Wilcox. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to approve the minutes from meetings held on November 6, 20, and December 4, 2002.

PERSONNEL AGENDA

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to approve the personnel agenda. (List on file in the Clerk of the Board's Office.)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

Bethany Home Outfall Channel (Per: Resolution FCD 98-12)

Item A002.003-PDE, Permanent Drainage Easement and Agreement for Flood Control Purposes from Maricopa County to the Flood Control District of Maricopa County for a nominal fee.

Item number A002.108, Relocation Assistance Entitlements for Forrest L. Manning in the amount of \$25,900.00.

Item number A002.109, Relocation Assistance Entitlements for Peggy A. Chirdon in the amount of \$26,500.00.

Item number A002.119, Relocation Assistance Entitlements for Ryan E. and Peggy D. Daugherty in the amount of \$22,500.00.

Item number A002.121, Relocation Assistance Entitlements for Robert J. and Frances A. Bylinowski in the amount of \$24,000.00.

Item number A002.162, Relocation Assistance Entitlements for Mae D. Young in the amount of \$19,000.00.

Laveen Area Conveyance Channel Project (Per: Resolution FCD2000R011)

Item A001.029, Escrow Holding Instructions are between Flood Control District of Maricopa County and Elijilo and Jo Ellen Saenz.

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Item A001.045, Warranty Deed from Sunny Mesa, Inc., an Arizona corporation to the Flood Control District of Maricopa County for a nominal fee.

Item A001.045, Escrow Instructions.

DURANGO AREA DRAINAGE MASTER PLAN PROJECT

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to adopt Resolution FCD 2002R015, Durango Area Drainage Master Plan (Project 565), and recommend that it be adopted by the City of Phoenix, City of Avondale, City of Tolleson, and Maricopa County. The study area encompassed the Durango watershed of approximately 67 square miles from I-10 to the north, Cave Creek floodplain to the east (approximately 27th Avenue), the Salt/Gila Rivers to the south, and the Agua Fria River to the west. (C69030426) (ADM1915-003)

Anthony Abril, citizen, asked that John Crompton's, ASU Studies, "Description of Property Values" be looked into in regards to this matter for property values and property tax base information.

RESOLUTION
FCD 2002R015

Durango Area Drainage Master Plan

WHEREAS, the Flood Control District of Maricopa County (District) was established in accordance with provisions of Arizona Revised Statutes Title 48-3603, Chapter 21, which requires the Board of Directors of the District to identify flood problems and plan for the construction of facilities to eliminate or minimize flooding problems within Maricopa County, and

WHEREAS, the District has conducted the Durango Area Drainage Master Plan, a regional drainage master plan, to identify and mitigate existing and future drainage, and flooding problems in the southwestern metropolitan Phoenix area as identified in Exhibit A, on file in the District Office, and

WHEREAS, the District conducted studies to identify drainage improvements necessary to mitigate the drainage problems within the Durango watershed, and

WHEREAS, the current drainage improvements in the watershed, as a system, do not have sufficient nor consistent capacity for the 100-year storm event, and

WHEREAS, the area is urbanizing and the regional drainage and flooding problems in the area may not be adequately addressed, and

WHEREAS, the District has finalized the Durango Area Drainage Master Plan and has defined a preferred alternative (Exhibit A) for mitigation of storm water flows with drainage infrastructure, and

WHEREAS, the District, in cooperation with the City of phoenix, City of Avondale, City of Tolleson, and Maricopa County, will work to implement the features defined in the Durango Area Drainage Master Plan in total or in part, subject to funding, priorities, and future authorizations.

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NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District adopts the Durango Area Drainage Master Plan Final Report, as the basis to mitigate storm water flooding within the watershed area, and

BE IT FURTHER RESOLVED that the Board of Directors of the District recommends that the City of Phoenix, the City of Avondale, the City of Tolleson, and Maricopa County adopt the Durango Area Drainage Master Plan within their respective jurisdictions as a planning tool to establish regional flood control infrastructure to mitigate storm water flows within the study area.

DATED this 18th day of December 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

REEMS ROAD CHANNEL PROJECT

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to adopt Resolution FCD 2002R014, Reems Road Channel (Project #470-White Tanks ADMP). The Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to develop and negotiate Intergovernmental Agreements (IGA) with the City of Surprise and other parties, as appropriate, for the cost sharing, design, construction, construction management, rights-of-way acquisition, operation and maintenance for the Reems Road Channel. The intergovernmental cost is currently estimated at \$6,800,000. (C69030446) (ADM1900)

**RESOLUTION
FCD 2002R014
Reems Road Channel**

WHEREAS, Arizona Revised Statutes Title 48, Chapter 21, requires the Board of Directors of the Flood Control District (District) to identify flood problems and plans for the construction of facilities to eliminate or minimize flooding problems within Maricopa County, and

WHEREAS, the District updated the White Tanks Area Drainage Master Plan (ADMP), a regional drainage master plan originally published in 1992, with the Loop 303 Corridor/White Tanks ADMP to identify and mitigate existing and future drainage and flooding problems in the western metropolitan area bounded by the Agua Fria River, McMicken Dam, the White Tank Mountains, and the Gila River, and

WHEREAS, the ADMP's recommended the same preferred regional solution to the identified flooding problems associated with a particular portion of the watershed, and

WHEREAS, the City of Surprise requested in the FY 2000/2001 CIP Prioritization Procedure that the District cost share in the Reems Road Channel to mitigate a portion of the drainage problems identified in the ADMP's, and

WHEREAS, the Reems Road Channel is herein defined as a basin located north of Olive Avenue and west of Reems Road, and a channel and associated drainage structures adjacent to Reems Road from approximately Greenway Road to a quarter mile north of Northern Avenue, then turning east and out-falling into the existing Dysart Drain Project Basin located on the east side of Reems Road, as shown on Exhibit A, copy on file in the District Office, and

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WHEREAS, the area continues to rapidly urbanize and the regional drainage and flooding problems in the area have not been comprehensively addressed, and

WHEREAS, the District, in cooperation with the City of Surprise and others, will work to implement the drainage features defined in the ADMPs and requested in the CIP Prioritization Procedure, subject to funding, priorities and future authorizations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District (Board) authorizes and directs the Chief Engineer and General Manager of the District to negotiate and prepare intergovernmental agreements and/or agreements with the City of Surprise, and/or other municipalities, agencies and others, as appropriate, for rights-of-way acquisition, design, construction, construction management and future operation and maintenance including appropriate District participation in landscape and multi-use improvements for the Reems Road Channel, and

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is hereby authorized and directed to negotiate with landowners and/or appropriate agencies to obtain the necessary rights-of-entry, property and/or easements and all other necessary land rights required for the Reems Road Channel within the following sections:

D3N, R1W, Sections 19, 20, 29, 30, 31, 32, and

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District retains the right to and is authorized and directed to hire, retain or otherwise utilize the professional services of the County Attorney's Office or private counsel to initiate and prosecute actions and proceedings in the manner required by law to condemn any and all Rights-of-Entry, Property, and/or Easements required for the implementation of the Reems Road Channel which cannot be obtained by donation or purchase in the following locations:

T3N, R1W, Sections 19, 20, 29, 30, 31, 32, and

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to include funds in the District's current and future Five-Year Capital Improvement Program (CIP) for design, construction, and land acquisition for features identified in the Reems Road Channel subject to prioritization by the District and subsequent approvals by this Board, of future Five-Year CIP, and

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to advertise, select, negotiate and award a contract for engineering services for implementation of the Reems Road Channel, subject to the ratification and approval of the Board.

DATED this 18th day of December 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

SALE OF EXCESS PARCEL

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Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to approve and authorize the Chairman to sign the necessary documents from the sale of Excess Parcel K4-EX at Public Auction on November 7, 2002, to Michael C. Markakis and/or nominee for \$1,180,000. (C6903045B) (ADM1903-001)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board